

12-03-01

CPA \$

2164

PTO/SB/29 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:
☐ DUPLICATE

Address to: Assistant Commissioner for Patents
Box CPA
Washington, D. C. 20231

RECEIVED

#9
p. 10/10

Attorney Docket No. of Prior Application 003801.P007

First Named Inventor Alex D. Poon

Examiner Name Akers, G.

Group Art Unit 2164

Express Mail Label No. EL639013324US

DEC 05 2001

12-6-01

Technology Center 2100

This is a request for a ☒ continuation or ☐ divisional under 37 CFR 1.53(d)

(continuation prosecution application (CPA)) of prior application No: 09/491,703

filed on January 26, 2000, entitled METHOD AND APPARATUS FOR FACILITATING USER

SELECTION OF AN ITEM CATEGORY IN AN ONLINE AUCTION

If the Patent and Trademark Office determines that this request under 37 CFR 1.53(d) is improper, the Office is requested to treat this CPA as a request for continued examination of the above identified application under 37 CFR 1.114.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application practice," Final rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. DELETE the following inventor(s) named in the prior nonprovisional application:

 - b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. ☒ Information Disclosure Statement (IDS) is enclosed:
 - a. ☒ PTO - 1449
 - b. ☒ Copies of IDS Citations

740.00 DP
336.00 DP
1008.00 DP
00000047 09491103
00000047 09491103
00000047 09491103

CLAIMS

(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
Total Claims (37 CFR 1.16(c) or (j))	<u>76</u> - <u>20*</u> =	<u>56</u>	X \$ <u>18.00</u> =	\$ <u>1008.00</u>
Independent Claims (37 CFR 1.16(b) or (j))	<u>7</u> - <u>3**</u> =	<u>4</u>	X \$ <u>84.00</u> =	\$ <u>336.00</u>
Multiple Dependent Claims (if applicable) (37 CFR 1.16(d))			+ \$ _____ =	\$ <u>0</u>
			BASIC FEE (37 CFR 1.16(a))	\$ <u>740.00</u>

Total of above Calculations = \$ 2084.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27). \$ _____

* Reissue claims in excess of 20 and over original patent.

** Reissue independent claims over original patent.

TOTAL = \$ 2084.00

6. Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. X The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 02-2666.
- a. X Fees required under 37 CFR 1.16.
- b. X Fees required under 37 CFR 1.17.
- c. X Fees required under 37 CFR 1.18.
8. X A check in the amount of \$ 2084.00 is enclosed.
9. Payment by credit card. Form PTO-2038 is attached.
10. Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. New Attorney Docket Number, if desired _____
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)
12. a. Receipt for Facsimile Transmitted CPA (PTO/SB/29A)
- b. X Return Receipt Postcard (Should be specially itemized, See MPEP 503)
13. Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. (Reminder: First investigate foreign filing question).
14. Other: _____

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS

 X Customer Number or Bar Code Label 08791
OR
(Insert Customer No. or Attach Bar Code Label here)

New Correspondence Address Below

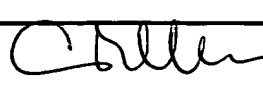
NAME BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

ADDRESS 12400 Wilshire Boulevard Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1030

COUNTRY USA TELEPHONE (408) 947-8200 FAX (408) 947-8280

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME Florin Corie SIGNATURE 

REGISTRATION NO. 46,244 DATE November 14, 2001



Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
) Examiner: Akers, G.
 Alex D. Poon)
) Art Unit: 2164
 Serial No.: 09/491,703)
)
 Filed: January 26, 2000)
)
 For: METHOD AND APPARATUS)
 FOR FACILITATING USER)
 SELECTION OF AN ITEM)
 CATEGORY IN AN ONLINE)
 AUCTION)

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DEC 05 2001
Technology Center 2100

Commissioner for Patents
Washington, D.C. 20231
BOX CPA

PRELIMINARY AMENDMENT

Dear Sir:

In response to the Office Action mailed August 14, 2001, which was made final,
and prior to examination of the present application, Applicant respectfully requests the
Examiner to enter this Preliminary Amendment.

"Express Mail" mailing label number EL639013324US Date of Deposit: November 14, 2001
I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service
"Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has
been addressed to the Commissioner of Patents and Trademarks, Washington, D. C. 20231

Leslie Rogan

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

(Date signed)

Leslie D. Rogan
11/14/01